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TC 1700

PATENT

Customer No. 22,852

Attorney Docket No. 7241-17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Nobuya Kitaguchi et al.) Group Art Unit: 1743
)
Application No.: 10/049,239) Examiner: Lyle Alexander
)
Filed: February 11, 2002)
)
For: Analyzing Cartridge and Liquid) Confirmation No.: 9539
Feed Control)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In the Information Disclosure Statement filed May 10, 2002, the Examiner did not consider the following references because no translations of the references were provided. However, as noted in the Information Disclosure Statement, these references were discussed on pages 3-16 of the specification.

More specifically, the discussion of their relevance is as follows:

| <u>Reference</u> | <u>Discussion of Relevance</u> |
|------------------|--|
| JP2-293640 | page 4, line 18 to page 5, line 5. Japanese patent 2790359 is the equivalent of JP2-293640 |
| JP453384 | page 6, lines 4-9 |
| JP8-62225 | page 6, lines 4-9 |
| JP10-501340 | page 7, lines 7-16 |
| JP09-504732 | page 7, lines 7-16 |
| JP-500809 | page 14, lines 20-24 |

06/09/2004 WAFSAW1 00000045 10049239 180.00 DP
01 FC:1806

A new Form PTO 1449 listing the above six references is enclosed. Copies are not provided since they have already been submitted.

Also enclosed is a copy of JP0823778 with English abstract because the Examiner indicated a copy was not submitted. The reference is also discussed on page 12, lines 8-24. The reference is listed on the enclosed Form PTO 1449. Also enclosed is a check for \$180 to enable the Examiner to consider this reference at this time.

If there is any fee due in connection with the filing of this Statement, please charge such fee to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

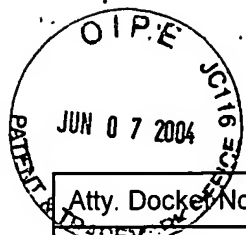
Dated: June 7, 2004

By: _____



Arthur S. Garrett
Reg. No. 20,338

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INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|-------------------------|------------|------------|
| Atty. Docket No. | 7241-17 | Appln. No. | 10/049,239 |
| Applicant | Nobuya Kitaguchi et al. | | |
| Filing Date | February 11, 2002 | Group: | 1743 |

U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
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FOREIGN PATENT DOCUMENTS

| Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|-----------------|------------------|---------|-------|-----------|-----------------------|
| 2-293640 | 04/12/90 | Japan | | | No |
| 4-53384 | 08/26/92 | Japan | | | No |
| 8-62225 | 03/08/96 | Japan | | | No |
| 10-501340 | 02/03/98 | Japan | | | No |
| 09-504732 | 05/13/97 | Japan | | | No |
| 08233778 | 09/13/96 | Japan | | | Yes - Abstract |
| 9-500809 | 01/28/97 | Japan | | | No |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|---|---|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |

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| Nobuya Kitaguchi et al. |) | Group Art Unit: 1743 |
| |) | |
| Application No.: 10/049,239 |) | Examiner: Lyle Alexander |
| |) | |
| Filed: February 11, 2002 |) | |
| |) | |
| For: Analyzing Cartridge and Liquid |) | Confirmation No.: 9539 |
| Feed Control |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In the Information Disclosure Statement filed May 10, 2002 submitting copies of the references cited in the International Search Report, the Examiner indicated that two literature articles were not considered because there was "no translation or characterization" of the reference.

However, in accordance with M.P.E.P. §609 [PART III (A3)] when a non-English language reference is cited in a Search Report in a corresponding foreign application, an English language version of the Search Report which indicates the degree of relevance of the reference satisfies the "requirement for a concise explanation of relevance" of the reference. A copy of the International Search Report in English which indicated the relevance of the articles was enclosed with the Statement.

Accordingly, it is believed the Examiner should have considered these two references. Another Form PTO 1449 listing the two literature articles is therefore enclosed.

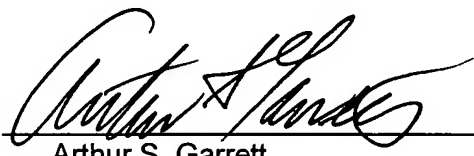
Copies of the two references are not enclosed because they have already been submitted.

If there is any fee due in connection with the filing of this Statement, please charge such fee to our deposit account 06-0916.

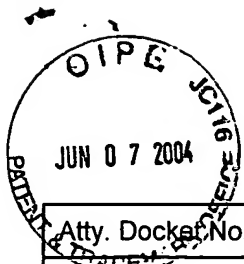
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 7, 2004

By: 
Arthur S. Garrett
Reg. No. 20,338

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INFORMATION DISCLOSURE CITATION

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|------------------|-------------------------|-----------|------------|
| Atty. Docket No. | 7241-17 | Appl. No. | 10/049,239 |
| Applicant | Nobuya Kitaguchi et al. | | |
| Filing Date | February 11, 2002 | Group: | 1743 |

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10/049,239

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|--|---|
| | Shuuichi Shouji et al., "Micro Kagaku Bunseki System," Transactions, the Institute of Electronics, Information and Communication Engineers, (Japan), 1998, Vol. J81-C-I, No. 7, pp. 385-393. |
| | Hiroaki Nakanishi et al., "Micro-fabrication and analytical performances of quartz and glass microchips for electrophoresis," <i>Bunseki Kagaku</i> , Vol. 47, No. 6, pp. 361-368 (1998), <i>The Japan Society for Analytical Chemistry</i> |
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|---|---|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |

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